REMARKS

The Applicant's representative, J. Robin Rohlicek, thank Examiner Borsetti and Supervisory Examiner Wozniak for the in-person interview conducted on June 3, 2008. The Applicant has amended certain claims to more clearly articulate the scope of the claims being sought.

35 U.S.C. § 102 Rejections

All the pending claims stand rejected as anticipated by US Pat. 5,797,123 (Chou) titled "Method for Key-Phrase Detection and Verification for Flexible Speech Understanding."

Chou applies a multiple pass procedure to one spoken utterance (see, e.g., Abstract). A sequence of four passes include:

1.   key-phrases are detected in that one spoken utterance.

2.   the key-phrases are "verified" to reduce the set of detected key-phases to only those that exceed a confidence measure threshold.

3.   sentence hypotheses are formed from the verified key-phrases

4.   sentence hypotheses are verified

It appears that the Examiner has associated the "query" as recited in claim 1 with possible meaning of Chou's spoken utterance ("The input is an utterance which is a spoken instance of a query". Office Action, p. 4). However this association of "query" with the input utterance is not consistent with claim 1, which requires "locating putative instances of the query." The Applicant takes the position that the claim as previously pending is not anticipated by Chou because the step of locating putative instances of the input utterances is not performed.

However, for the sake of advancing prosecution, the Applicant has amended claim 1 to make clear that first query data represents spoken instances of a query in a first set of audio signals while putative instances of the query are located in second speech data that represents unknown speech in a second audio signal. The query represents, for example, a keyword that a user wishes to locate in the second audio signal. The first set of audio signals can include an utterance by a user of the system, or an earlier acoustic

input. (see, e.g., paragraph [029]). That is, there are one or more spoken instances of the query in the first set of audio signals (e.g., the signals representing the user speaking the query, or the selected instances of the query in previously recorded signals), and the method include locating putative instances of that query in data representing unknown speech in a second audio signal. To further make clear the distinction over Chou, the claim recites both "accepting first query data" and "accepting second speech data."

Therefore, Chou fails to anticipate claim 1 because it does not disclose a query that has spoken in stances in a first audio signal and then detecting putative instances of that same query in data from a second audio signal.

35 U.S.C. § 101 Rejections

All the pending claims stand rejected as being directed to non-statutory subject matter as lacking a tangible output to make the invention provide useful, tangible, and concrete results. Claim 1 and its dependent claims provide the very useful result of locating instances of a query in speech data, and are specifically directed to an approach that makes use of a representation of a query that defines multiple sequences of subword units representing the query. These claims are not directed to an abstract idea as the Examiner appears to contend. The useful, tangible, and concrete result of manipulating speech-related data to locate instances of a query in that speech-related data is well within the bounds required by § 101. (*See, e.g., Arrhythmia Research Tech. v. Corazonix Corp.,* 958 F.2d 1053 (Fed. Cir. 1992), analysis of electrocardiogram signals to determine certain characteristics of the heart function found statutory under § 101).

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any

Applicant(s) : Robert W. Morris   Attorney Docket No.: 30004-004US1
Serial No. : 10/565,570   Client Ref. No.:
Filed : July 21, 2006
Page : 8 of 8

claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 30004-004US1.

Respectfully submitted,

Date: ___July 24, 2008_____   _/ J. Robin Rohlicek /_____

J. Robin Rohlicek
Reg. No. 43,349

Customer No. 69713
Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge, MA 02138
Telephone: (617) 500-2502
Facsimile: (617) 500-2499
43707.doc